

GOVERNMENT OF ANDHRA PRADESH
A B S T R A C T

SUITS – Land Acquisition – SRSP – Karimnagar Mandal and District – Bommakal (Village) - O.P.No.68/93 - Sanction of decretal charges of **Rs.39,36,784/-** Orders – Issued.

IRRIGATION & CAD (PW.LA.III.A1) DEPARTMENT

G.O.RT.NO. 328

DATE:29.05.2010

Read:

- 1) From the Special Collector, LA, SRSP, SSP & JCRGLIP, Hyderabad
Lr.No.E2/351/2007, dt:17.12.2009.
- 2) From the Secy.to CCLA, AP, Hyd.Lr.No.SRP2/80/2010, DT:06.02.10.

O R D E R:

The Special Chief Secretary & Chief Commissioner of Land Administration, Andhra Pradesh, Hyderabad has submitted the proposals for sanction of decretal charges in respect of O.P.No.68/93 pertaining to Bommakal (Village) of Karimnagar Mandal and District. The then LAO, LA Unit, Karimnagar has acquired the lands to an extent of Acs.6.31 gts for excavation of canal in the limits of Bommakal (V) Karimnagar Mandal and District vide Award No.5/1989-90, dt:29.04.1989 by fixing the land value @Rs.15,000/- per acre. Thereafter in a reference made U/s.18 of L.A.Act the Court of Senior Civil Judge at Huzurabad, Karimnagar vide judgment and decree dt:21.03.2005 has enhanced the compensation from Rs.15,000/- to Rs.1,10,000/- per acre. As the enhancement was more than 50%, the SDC has filed an appeal before the Hon'ble High Court of A.P, Hyderabad. As per the interim orders of the Hon'ble H.C of A.P, Hyd, 50% of the decretal amount of Rs.15,04,761/- has been deposited in the Reference Court dt:30.10.1992. Finally, the Hon'ble H.C of A.P, Hyd has dismissed the appeal filed by the State in A.S.No.1700/05, dt:17.04.2009 by confirming the orders of the Lower Court.

2) After careful examination of the matter, Government hereby accord sanction for an amount of **Rs.39,36,784/- (Rupees Thirty nine lakhs thirty six thousand seven hundred and eighty four only)** in respect of O.P.No.68/93 pertaining to Bommakal (Village) of Karimnagar Mandal and District subject to verification whether the reference under section 18(1) of the L.A.Act is made to the Lower Court after following all the guidelines/directions on the subject and in case it is detected that Section 18 reference was made contrary to the rules/guidelines issued by the Govt/ Special Chief Secretary to Government and Chief Commissioner for Land Administration, Andhra Pradesh, Hyderabad immediate action should be taken to recover the loss sustained by the Government from the staff concerned and filing of restitution petition and also subject to confirmation of the Chief Engineer as to the extent of land acquired. Further, the Special Collector should verify the calculations made by the Land Acquisition Officer once again thoroughly with reference to the decree and instructions issued by the Government/Special Chief Secretary to Government and Chief Commissioner for Land Administration, Andhra Pradesh, Hyderabad on the subject from time to time duly deducting the Income Tax as per rules before depositing the amount in Lower court.

(PTO)

3) The Special Collector, LA, SRSP, SSP & JCRGLIP, Hyderabad may be directed to follow the directions issued by the Hon'ble High Court on 30.04.2007 in W.P.No.2181 of 2005 in disbursement of the above sanctioned decretal charges to the rightful claimants in respect of the O.P.No.68/93 for avoiding intervention of the middlemen.

4) The expenditure sanctioned in para (2) above, shall be debitable to the following Head of Account under "2701 – Capital Out Lay – M&MI-01 – Major Irrigation – 116. SRSP Stage-I, Scheme included in Plan, G.H (11) Normal State Plan – S.H (27) – Canals and Distributaries - 530 - Major works – 532 – Lands (charged). In case, the available budget provision is not sufficient to meet the present requirement, the expenditure shall be met initially by way of advance from contingency fund subject to surrendering an equal amount from voted grant.

5) This order issues with the concurrence of Finance (Works&Projects) Department vide their U.O.No.2280/F4(2)/2010-1, dated:14.05.2010.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

ADITYA NATH DAS
SECRETARY TO GOVERNMENT

To

The Spl. Chief Secretary to Government & CCLA, A.P., Hyderabad.

The Special Collector, LA, SSP, JCRGLIP, Tarnaka, Hyderabad.

The Special Deputy Collector, LA Unit-I, LMD Colony, Karimnagar.

The Administrative-cum-Chief Engineer, SRSP, M.J.Road, Hyderabad.

The Director of Works Accounts, SRSP, Hyderabad.

Copy to: P.S. to Minister (M& MI).

Finance (W&P) Department/File C.No.2212/LA.III(A1)/2009

SF/SCs

//FORWARDED::BY ORDER//

SECTION OFFICER